

5679

2011-2012 Regular Sessions

I N   A S S E M B L Y

February 25, 2011

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Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the  
Committee on Higher Education

AN ACT to amend the education law, in relation to telecommunications and  
correspondence courses

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

- 1     Section 1. Section 355 of the education law is amended by adding a new  
2     subdivision 20 to read as follows:  
3     20. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE OR REGULATION TO  
4     THE CONTRARY, IN ORDER TO QUALIFY FOR STATE AID APPORTIONMENTS PURSUANT  
5     TO THIS ARTICLE, AN INSTITUTION SHALL NOT BE CONSIDERED TO MEET THE  
6     DEFINITION OF INSTITUTIONS PROVIDING HIGHER EDUCATION AS PROVIDED IN  
7     THIS ARTICLE IF SUCH INSTITUTION OFFERS OR ENROLLS MORE THAN FIFTY  
8     PERCENT OF SUCH INSTITUTION'S TOTAL NUMBER OF ALL COURSES BY TELECOMMU-  
9     NICATIONS OR CORRESPONDENCE, EXCEPT THAT THE COMMISSIONER, AT THE  
10    REQUEST OF SUCH INSTITUTION, MAY WAIVE THE APPLICABILITY OF THIS SUBDI-  
11    VISION TO SUCH INSTITUTION FOR GOOD CAUSE, AS DETERMINED BY THE COMMIS-  
12    SIONER.
- 13    S 2. Section 6221 of the education law is amended by adding a new  
14    subdivision F to read as follows:  
15    F. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE OR REGULATION TO  
16    THE CONTRARY, IN ORDER TO QUALIFY FOR STATE AID APPORTIONMENTS PURSUANT  
17    TO THIS ARTICLE, AN INSTITUTION SHALL NOT BE CONSIDERED TO MEET THE  
18    DEFINITION OF INSTITUTIONS PROVIDING HIGHER EDUCATION AS PROVIDED IN  
19    THIS ARTICLE IF SUCH INSTITUTION OFFERS OR ENROLLS MORE THAN FIFTY  
20    PERCENT OF SUCH INSTITUTION'S TOTAL NUMBER OF ALL COURSES BY TELECOMMU-  
21    NICATIONS OR CORRESPONDENCE, EXCEPT THAT THE COMMISSIONER, AT THE  
22    REQUEST OF SUCH INSTITUTION, MAY WAIVE THE APPLICABILITY OF THIS SUBDI-  
23    VISION TO SUCH INSTITUTION FOR GOOD CAUSE, AS DETERMINED BY THE COMMIS-  
24    SIONER.
- 25    S 3. This act shall take effect immediately.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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